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Attorneys for Plaintiff

DREW AUSTIN SPECKMAN

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

DREW AUSTIN SPECKMAN, in both his
personal capacity and as sole incorporator of
RapStudy, Inc, a Delaware Corporation;

Plaintiff.

-against-

COSIMO FABRIZIO, an individual; REZA
MADHAVAN, an individual; ADRIAN LEE,
an individual, and DOES 1-50, inclusive;

Defendants.

Civil Action No. 3:21-CV-0602 (DNH/ML)

ORDER

[Filed concurrently with: (1) *Ex Parte*
Application for Temporary Restraining
Order; (2) An Order to Show Cause Re
Preliminary Injunction; (3) Memorandum of
Law in Support Thereof; (4) Declarations of
Drew A. Speckman, Jason H. Sunshine and
Maurice D. Pessah; Complaint]

ORDER

Plaintiff's Order to Show Cause for a temporary restraining order and preliminary injunction, having been filed with the Court by Pessah Law Group, P.C., attorneys for Plaintiff Drew Speckman ("Plaintiff"), and the Court having considered Plaintiffs' Memorandum of Law dated May 24, 2021, the Court having found that:

IT IS on this 25th day of May 2021,

ORDERED, that the above-named Defendants show cause before a motion term of this Court at Room 322, United States Courthouse, located at 10 Broad St. Utica, NY on Thursday, June 17, 2021 at 1:00pm why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure in favor of Plaintiff:

- 1) Enjoining Defendants Cosimo Fabrizio, Reza Madhavan, and Adrian Lee (collectively, "Defendants"), and those acting in concert with them, from accessing, disrupting or otherwise interfering with Plaintiff's Company email, files, bank account or GitHub account;
- 2) Ordering Defendants to restore Plaintiff to his *status quo* access to all Company-related files as of May 9, 2021,
- 3) Restoring Plaintiff's access to the Company's Google drive, email accounts, GitHub repository and bank account;
- 4) Obtaining, using, retaining, accessing, disclosing or disseminating Plaintiff's confidential, proprietary and/or trade secret information stored on any movable memory device in Defendants' possession, custody or control, including, but not limited to, external hard drives and flash drives;

5) Granting such other and further relief as the Court may deem proper.

IT IS FURTHER ORDERED that, sufficient reason having been shown therefore, pending the hearing of Plaintiff's application for a preliminary injunction, pursuant to Federal Rule of Civil Procedure 65, the Defendants be temporarily restrained and enjoined in accordance with paragraphs (1) through (3) above.

IT IS FURTHER ORDERED that this temporary restraining order is binding upon the parties to the action, their officers, agents, servants, employees, and attorneys, and upon all other persons acting in concert or participation with them who receive actual notice of the order by personal service or otherwise.

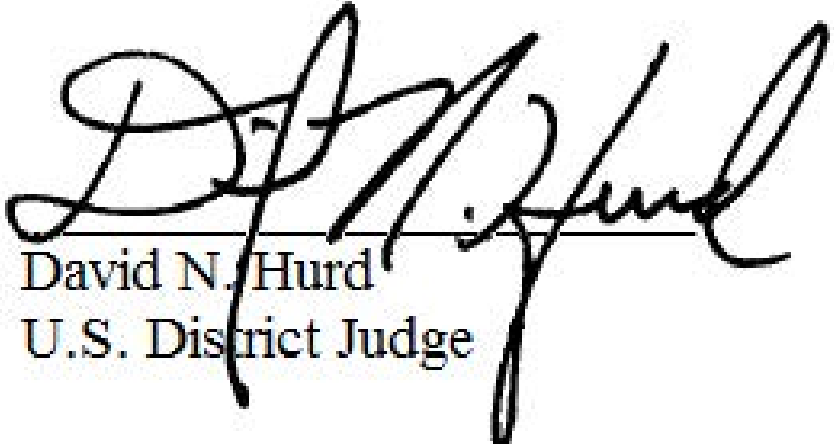
IT IS FURTHER ORDERED that Plaintiff is not required to post a bond to secure the Order and temporary restraining order granted herein.

IT IS FURTHER ORDERED that service of this Order be made by serving a copy of this Order along with all other pleadings on the Defendants on or before Friday, May 28, 2021 at 5:00pm EDT.

IT IS FURTHER ORDERED that answering papers, if any, shall be served to be received by counsel to Plaintiff no later than Tuesday, June 8, 2021 at 5:00pm EDT.

IT IS SO ORDERED.

DATED: At Utica, New York
May 25, 2021



David N. Hurd
U.S. District Judge